

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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STANLEY ELLIS,

Plaintiff,

v.

GOVERNMENT EMPLOYEE INSURANCE  
COMPANY, a Maryland corporation,

Defendant.

No. 2:22-cv-01580 WBS JDP

ORDER RE: BILL OF COSTS

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The court entered summary judgment in favor of defendant on March 19, 2024. (Docket No. 50.) On March 28, 2024, defendant submitted a Bill of Costs pursuant to Local Rule 292(b). (Docket No. 51.) Defendant claims costs of \$402.00 for removal, and \$25,737.35 for obtaining copies of witness deposition transcripts, videos, and related exhibits for use in this case, for a total bill of \$26,139.35. (Id.) Plaintiff has not objected to the costs pursuant to Local Rule 292(c), and the time to do so has passed.

Given that defendant is the prevailing party in this case, the court has discretion to allow for their "recovery of deposition costs and copying costs." See Sea Coast Foods, Inc. v. Lu-Mar Lobster & Shrimp, Inc., 260 F.3d 1054, 1061 (9th Cir. 2001); see also E.D. Cal. L.R. 292(f). "Rule 54(d) creates a presumption in favor of awarding costs to prevailing parties, and it is incumbent upon the losing party to demonstrate why the costs should not be awarded." Stanley v. Univ. of S. Cal., 178 F.3d 1069, 1079 (9th Cir. 1999).

1 After reviewing defendant's Bill of Costs, which  
2 encompasses costs incurred for ten (10) depositions, and in light  
3 of the fact that plaintiff has not objected, the court finds that  
4 defendant's claimed costs of \$26,139.35 are reasonable here.

5                   Accordingly, costs of **\$26,139.35** will be taxed against  
6 plaintiff.

7 IT IS SO ORDERED.

8 || Dated: April 19, 2024

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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE